

REMARKS

Reconsideration of this application is respectfully requested in view of the foregoing amendment and the following remarks.

Applicants appreciate the courtesies extended by Examiner Robinson Boyce to Jim Allen and Poh Chua during the personal interview of January 10, 2006. As indicated in the Interview Summary, an agreement was reached during the interview that the proposed amendment and remarks would overcome the rejections of record.

Applicants respectfully request an acknowledgement from Examiner Robinson Boyce that references disclosed in IDS filed on February 12, 2002 and October 9, 2002 were considered. Applicants would appreciate it if Examiner Robinson Boyce could put her initials next to each of the references indicated on Forms 1449 that were submitted on February 12, 2002 and October 9, 2002, and then forward copies of the initialed forms to Applicants' representative.

Claims 1-20 were pending. In the office action mailed October 18, 2005, claims 1-4 were rejected under 35 U.S.C. §102(b) as being anticipated by Klashinsky, et al. (U.S. 5,617,086); claims 5-7 were rejected under 35 U.S.C. §103(a) as being unpatentable over Klashinsky, et al. and in further view of Platzman (U.S. 3,705,976); claim 8 was rejected under 35 U.S.C. §103(a) as being unpatentable over Klashinsky, et al. as applied to claim 1 above, and further in view of Waldman, et al. (U.S. 5,764,163); claims 9-20 were rejected under 35 U.S.C. §103(a) as being unpatentable over Hilliard, et al. (U.S. 6,342,845) and in further view of Platzman.

Claims 1 and 4-8 have been amended. No claim has been cancelled or added.

Accordingly, claims 1-20 remain pending. Support for all the amendments can be found in the originally presented claims and elsewhere in the specification. To the extent that any of the rejections can still be applied to the amended claims, it is respectfully traversed.

Claim 1 has been amended to include a limitation that the classification loop array is installed on a surface of a traveling path of a vehicle “at a location prior to the payment point” at which fare for using the road is collected. Support for this amendment can be found, among other places, in the originally presented claims 11-12, Figures 1-5 and the associated description. Applicants believe the § 102(b) rejection based on Klashinsky has been overcome because the reference does not disclose this limitation.

Accordingly, Applicants believe claim 1 and its dependent claims 2-8 are now in condition for allowance.

With respect to claims 9-20, Applicants believe that there is at least one element in each of independent claims 9 and 14 that is not taught or suggested by the references of record, and the obviousness type rejection should therefore be withdrawn.

For claim 9, the following recited element is not found in either Hilliard or Platzman:

an intelligent queue loop in communication with the microprocessor, wherein the intelligent queue loop is adapted to indicate changes in electromagnetic field which can be processed to produce subsequent signature information and wheel assembly information characterizing the vehicle, wherein the subsequent signature information is used to reconfirm the initial signature information to ensure that the vehicle is in a proper queue sequence.

As shown in Figure 1A of the present application, in a preferred embodiment of the present invention, the recited intelligent queue loop 140 is separate from the classification loop array 110. Classification loop array 110 is located at a distance "D" upstream of, or prior to, payment point 150. Intelligent queue loop 140 is located in between classification loop array 110 and payment point 150. Support for this element can be found throughout the specification at, for example, paragraphs 0046 through 0050 and FIG. 1A, among other places in the specification.

The portions of Hilliard (col. 15 lines 33-37 and col. 16, line 56 to col. 17, line 4) discloses how amplitude sequence obtained by the blade sensor can be used to classify and re-identify the vehicle, but Hilliard simply does not suggest that a separate intelligent loop, i.e., in addition to the blade sensor, can be used to produce subsequent signature information to reconfirm the initial signature information to ensure that the vehicle is in a proper queue sequence, as recited in claim 9. Applicants respectfully submit that, without specific teaching of the intelligent queue loop and its functionality disclosed in the present application, one of ordinary skill in the art could not modify Hilliard to arrive at the invention of claim 9. Accordingly, Applicants believe the rejections of claims 9-13 should be withdrawn for at least this reason.

Similarly, the rejections of claims 14-20 should be withdrawn because none of the references of record discloses or suggests at least "means for queuing more than one vehicles in sequence," which is recited in independent claim 14. Applicants respectfully disagree with the

examiner that col. 15, lines 33-37 of Hilliard, which is quoted immediate below for convenience, discloses this element:

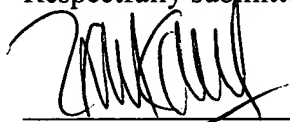
Nevertheless, the amplitude sequence of a set of characteristic points, especially inflection points, of an inductive time-signature can be used for classification or identification of a vehicle without reference being made to the velocity or acceleration profile of the vehicle.

While Hilliard arguably teaches that different information obtained by the blade sensor can be used to classify or identify a vehicle, Hilliard fails to disclose use of a means for queuing more than one vehicle in sequence, as recited in claim 14. For at least this reason, Applicants believe all the rejections of claims 14-20 should be withdrawn.

In view of the foregoing all of the pending claims in this case are believed to be in condition for allowance. Should the Examiner have any questions or determine that any further action is desirable to place this application in even better condition for issue, the Examiner is encouraged to telephone applicants' undersigned representative at the number listed below.

PILLSBURY WINTHROP SHAW PITTMAN LLP
1650 Tysons Boulevard
McLean, VA 22102
Tel: (703) 770-7696

Date: January 12, 2006

Respectfully submitted,

By: _____
Poh C. Chua
Registration No. 44,615

PCC/lrhj

Customer No. 00909